

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 SHAWN CROSS,

4 Plaintiff,

5 v.

6 SMITH'S FOOD AND DRUG,

7 Defendant.

Case No.: 2:22-cv-01346-APG-NJK

**Order Accepting Report and
Recommendation and Dismissing Case**

[ECF No. 5]

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9 On September 20, 2022, Magistrate Judge Koppe recommended that I dismiss plaintiff
10 Shawn Cross's complaint because this court lacks subject matter jurisdiction over this case. ECF
11 No. 5. Cross filed an objection. ECF No. 7.

12 I have conducted a de novo review of the issues as required by Local Rule IB 3-2. As
13 Judge Koppe points out, the complaint does not provide a sufficient basis for federal question
14 jurisdiction. And Cross's objection likewise fails to demonstrate how a federal question is at
15 issue in this dispute. Judge Koppe's Report and Recommendation sets forth the proper legal
16 analysis and factual basis for the decision, and I accept and adopt it as my own. Cross may
17 pursue his claims in state court, but jurisdiction is lacking in this federal court.

18 I THEREFORE ORDER that the Report and Recommendation (**ECF No. 5**) is **accepted**,
19 and this case is dismissed without prejudice. The clerk of the court shall close this case.

20 DATED THIS 2nd day of November, 2022.

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23 UNITED STATES DISTRICT JUDGE